

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6945**

**BILL NUMBER:** HB 1369

**NOTE PREPARED:** Jan 23, 2015

**BILL AMENDED:**

**SUBJECT:** Human Trafficking.

**FIRST AUTHOR:** Rep. Kirchhofer

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**    **GENERAL**  
                          **X DEDICATED**  
                          **FEDERAL**

**IMPACT:** State

**Summary of Legislation:** This bill requires a court to assess a Human Trafficking Victims Assistance Fee against a person convicted of patronizing a prostitute if the prostitute is a victim of human trafficking. It specifies that the fee is: (1) \$1,000 if the prostitute is at least 18 years of age; and (2) \$1,500 if the prostitute is less than 18 years of age.

The bill provides that funds collected from the Human Trafficking Victims Assistance Fee shall be deposited in the Family Violence and Victim Assistance Fund. (The Family Violence and Victim Assistance Fund provides funding for domestic violence prevention and treatment, child abuse prevention, and victim and witness assistance programs.)

**Effective Date:** July 1, 2015.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** Limited information is available on this offense. While LSA is not able to estimate the number of persons who would pay this fine, it seems likely the added revenue from this new fee would be minimal.

LSA examined records of 124 persons who were charged with patronizing a prostitute in counties that use the Odyssey case management system and in which the court issued a verdict between 2011 and 2014. Of these 124 cases, the charges in 77 cases (62%) were dismissed, while 47 cases (38%) resulted in either a guilty plea or a finding of guilt. Of these 47 guilty cases, the number of individuals who patronized a person who was a victim of human trafficking was not able to be determined. (Note: These 124 cases do not

necessarily represent all of the cases that were filed in these counties for patronizing a prostitute, only the cases where this information was available.)

[The Odyssey system accounts for 182 trial courts, 16 city courts, and 7 town courts in 50 counties. These represent 49% of all case filings in Indiana in 2013, the most recent year that this information is available.]

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Criminal Justice Institute administers the Family Violence and Victim Assistance Fund

**Local Agencies Affected:** Trial courts, prosecuting attorneys, clerks of the circuit court and city courts

**Information Sources:** Indiana Supreme Court Division of State Court Administration

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.